



JRW

PATENT  
ATTORNEY DOCKET: 46884-5450

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
Katusmi SHIBAYAMA ) Confirmation No.: 8287  
Application No.: 10/565,942 ) Group Art Unit: 2815  
Filed: July 12, 2006 ) Examiner: Paul A. Budd  
For: BACKSIDE-ILLUMINATED )  
PHOTODETECTOR AND METHOD )  
FOR MANUFACTURING SAME )

Commissioner for Patents  
U.S. Patent and Trademark Office  
**Customer Winder, Mail Stop Amendment**  
Alexandria, VA 22314

Sir:

**RESPONSE TO ELECTION/RESTRICTION REQUIREMENT**

In an Office Action dated July 30, 2008, the period for response to which runs through September 2, 2008 (August 30, 2008 being a Saturday, August 31, 2008 being a Sunday and Monday, September 1, 2008 being a Federal Holiday), the Examiner required election under 35 U.S.C. §§ 121 and 372 between the claims of Group I (claims 1-11) allegedly drawn to "a back illuminated photodetector," and Group II (claims 12-15) allegedly drawn to "a method of making a back illuminated photodetector."

Applicant hereby elects Group I (claims 1-11) for examination.

Applicant respectfully requests formal examination of this application.

Applicant respectfully submits that no fee is due in connection with the filing of this response. However, if there are any fees due in connection with the filing of this response, **except** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any such fees during the entire pendency of this application, including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required and including any required extension of time fees, *or* credit any overpayment to Deposit Account No. 50-0573. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

**DRINKER, BIDDLE & REATH LLP**



Paul A. Fournier  
Registration No. 41,023

Dated: September 2, 2008

By:

**Customer No. 055694**  
**DRINKER, BIDDLE & REATH LLP**  
1500 K Street, N.W., Suite 1100  
Washington, D.C. 20005-1209  
Tel: (202) 842-8800  
Fax: (202) 842-8465